

Notice of Allowability

Application No.

09/473,791

Applicant(s)

HAACK, BRIAN

Examiner

Hilary Gutman

Art Unit

3612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 4/20/05.
2. ☒ The allowed claim(s) is/are 1-4, 8, 10, 11, 14-17, 22, 24-26, 28, 30 and 44.
3. ☒ The drawings filed on 20 April 2005 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robert Knechtel on Monday, May 23, 2005.

The application has been amended as follows:

In the specification at page 12, the paragraph beginning on line 5 has been rewritten as follows:

--Figure 5 illustrates that divider panel 56 may also be molded or cut into the liner side walls 36, 38 of truck bed liner 20. In this embodiment, divider panel 56 is formed into one wall, either liner side wall 36 or liner side 38, which permits divider panel 56 to pivot about living hinge 52 on the [vertical] horizontal axis and then be secured into place by a divider lock means 58 found on the opposite liner side wall as illustrated in Figure 6. The disadvantage of this embodiment is that the side wall surface available to mold or cut a divider may not be sufficient to completely bridge liner bottom 40 between liner side wall 36 and liner side wall 38 of truck bed liner 20. To address this problem, two divider panels, each of which is of a length equal to one-half the length of the liner may be used. In this manner, the two divider panels can join in the center of the bed to form a single divider panel.--

In claim 1, line 2, --first-- has been inserted before "living hinge".

In claim 1, line 4, --second-- has been inserted before "living".

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In claim 4, line 1, "improved truck bed" has been deleted and --storage compartment-- inserted therefore.

In claim 4, line 2, "a bottom" has been deleted and --the bottom-- inserted therefore.

Claim 8 has been rewritten as follows:

--8. (currently amended) The storage compartment of Claim 1 wherein the divider panel and the enclosure panel each have three free edges; the divider panel has [and] a fourth edge comprising [a] the first living hinge [means]; and the enclosure panel has a second forth edge comprising the second living hinge.--

Claim 9 has been canceled.

In claim 10, line 5, "a bottom" has been deleted and --the bottom-- inserted therefore.

In claim 10, line 6, "horizontal" has been deleted and --longitudinal-- inserted therefore.

In claim 11, line 1, "liner" has been deleted and --storage compartment-- inserted therefore.

In claim 15, line 2, --first-- has been inserted before "living hinge".

In claim 15, line 4, --second-- has been inserted before "living hinge".

In claim 17, line 1, "truck bed liner" has been deleted and --storage compartment-- inserted therefore.

Claim 22 has been amended as follows:

--22. (currently amended) The storage compartment of Claim 15 wherein the divider panel and the enclosure panel each have three free edges; the divider panel has [and] a fourth edge comprising [a] the first living hinge [means]; and the enclosure panel has a second forth edge comprising the second living hinge.--

Claim 23 has been canceled.

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Claim 24 has been rewritten as follows:

--24. (currently amended) The [liner] storage compartment of Claim 16 wherein the [enclosure] divider panel securing means comprises at least two [horizontal] protrusions extending outwardly from [the two] each side wall [walls] of the liner at a predetermined point in the side walls [,] such that the at least two [horizontal] protrusions [being spaced apart from one another a sufficient distance to form a closure channel and secure the enclosure panel between the horizontal protrusions] maintain the divider panel in a 90 degree angle with respect to the bottom when the divider panel is in a raised position, the at least two protrusions being spaced apart from one another along the longitudinal axis a sufficient distance that the divider panel can be positioned between the at least two protrusions.--

In claim 25, line 1, "liner" has been deleted and --storage compartment-- inserted therefore.

In claim 26, line 1, "liner" has been deleted and --storage compartment-- inserted therefore.

In claim 25, line 1, "15" has been deleted and --17-- inserted therefore.

In claim 28, line 3, --first-- has been inserted before "living hinge".

In claim 28, line 5, --second-- has been inserted before "living hinge".

In claim 28, line 6, "vertical" has been deleted and --horizontal-- inserted therefore.

In claim 30, line 1, "of the type" has been deleted.

In claim 44, line 9, "horizontal" has been deleted and --longitudinal-- inserted therefore.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hilary Gutman whose telephone number is 571-272-6662.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Dayoan can be reached on 571-272-6659. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Hilary Gutman
May 31, 2005